

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN CHARLES BEGBIE FOWLER,

Plaintiff,

v.

JAROLD MARC,

Defendant.

Case No. 2:22-cv-02131-JDP (PC)

ORDER TO SHOW CAUSE WHY THIS  
CASE SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE AND FAILURE  
TO COMPLY WITH COURT ORDERS

RESPONSE DUE WITHIN TWENTY-ONE  
DAYS

On December 8, 2022, I notified plaintiff that he had not properly commenced a civil action because he filed an unsigned complaint. ECF No. 4. Additionally, I notified him that he needed to either submit the required filing fee or a complete *in forma pauperis* affidavit accompanied by a certified copy of his jail trust account statement for the six-month period immediately preceding the filing of the complaint. *Id.* I granted plaintiff thirty days to file a signed complaint and either a complete application to proceed *in forma pauperis* or pay the \$402 filing fee. To date, plaintiff has not complied with that order or otherwise responded.

To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer

1 justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291  
2 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

3 Plaintiff will be given a chance to explain why the court should not dismiss the case for  
4 his failure to file a signed complaint. Plaintiff's failure to respond to this order will constitute a  
5 failure to comply with a court order and will result in a recommendation that this action be  
6 dismissed. Accordingly, plaintiff is ordered to show cause within twenty-one days why this case  
7 should not be dismissed for failure to prosecute and failure to comply with court orders. Should  
8 plaintiff wish to continue with this action, he must, within twenty-one days, file a signed  
9 complaint and either pay the \$402 filing fee or submit a complete application for leave to proceed  
10 *in forma pauperis*. The Clerk of Court is directed to send to plaintiff a complaint form and the  
11 court's form application for leave to proceed *in forma pauperis*.

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13 IT IS SO ORDERED.

14 Dated: March 7, 2023

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16 JEREMY D. PETERSON  
17 UNITED STATES MAGISTRATE JUDGE  
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